

FILED
US DISTRICT COURT
DISTRICT OF ALASKA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

2005 DEC 20 PM 4:29

om

USA,)
Plaintiff,)
)
vs.)
)
MARCO RIVERA,)
Defendant.)
_____)

Case No. A03-109 CR (RRB/JDR)

MOTION FOR EXTENSION OF TIME

COMES NOW LANCE C. WELLS, COUNSEL for Defendant named above, and hereby files this Motion for an Extension of Time until February 9, 2005 in which to file his client's Amended 2255.

This motion is supported by the attached affidavit of counsel filed herewith.

Dated this 20th day of Dec., 2005.

Law Offices of Lance C. Wells, P.C.

By: _____

Lance C. Wells
Alaska Bar #9206045

LAW OFFICES
OF LANCE
CHRISTIAN WELLS
A Professional
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733 W. 4th Avenue
Suite 308
Anchorage, AK 99501
Ph (907) 274-9696
Fax (907) 277-9859

I certify that on the 20 day of Dec 05,
a true and correct copy of the foregoing was served
by counsel on: Bottini
cw

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

USA,)
Plaintiff,)
)
vs.)
)
MARCO RIVERA,)
Defendant.)
_____)

Case No. A03-109 CR (RRB/JDR)

AFFIDAVIT OF COUNSEL

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

Lance C. Wells being duly sworn deposes and states as follows:

1. I am the counsel of record for the Defendant in the above matter.
2. That I am a sole practitioner in Anchorage, Alaska. My practice is limited to civil and criminal defense primarily. I am also an OPA and CJA contract attorney for the State of Alaska and the Federal Government.
3. That my client's amended 2255 is currently due 1/9/06.
4. I will be unable to complete it by that date. At the time of this writing, I am still waiting on three complete banker boxes of discovery to be delivered to me from the Federal Defender's Office in Anchorage. I will need to review all of the discovery, interview my client (who is out of state incarcerated via a

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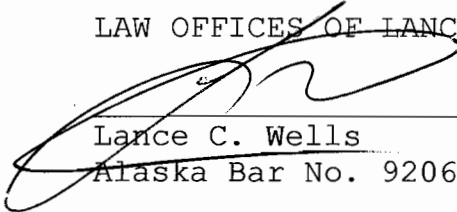
translator), interview Mr. McCoy and draft the amended 2255.

5. Unfortunately, I will be out of Alaska December 25th through January 8 visiting my parents in Texas. They are getting up in years and travel is very difficult for them to Alaska. This trip has been planed for over one year. I cannot change my travel arrangements.
6. I have reviewed my client's 2255 as well as having mailed to him the CJA form 23 for completion as directed by this court. The CJA Form 23 will be filed with this court upon its receipt.
7. Neither side will be prejudiced by this brief continuance request.
8. Today I attempted to reach AUSA Bottini by telephone but was unsuccessful as he was out of the office. A message was left for him setting out the facts set forth in this affidavit.
9. I request until 2/9/06, to complete my client's amended 2255.

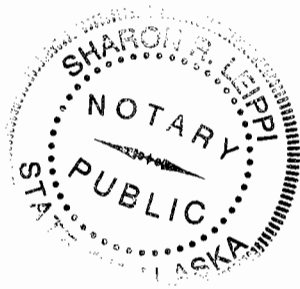
Dated this 20th day of December, 2005, at Anchorage, Alaska.

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LAW OFFICES OF LANCE C. WELLS


Lance C. Wells
Alaska Bar No. 9206045

Subscribed and Sworn to before me this 20 day of December, 2005.



Sharon R. Leippi
Notary Public in and for Alaska
My Commission Expires: June 8, 2006

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I certify that on the 20 day of Dec 05,
a true and correct copy of the foregoing was served
by Cowan on: Baffini

CW